

November 2, 2000

TO: Mayor and City Council

FROM: Scott Norris, Senior Planner

SUBJECT: Results of the Planning & Zoning Meeting November 1, 2000

The following item is scheduled for the November 21, 2000 City Council Meeting

Public Hearing: Specific Use Permit SUP2000-38
Applicant(s): Jeff and T. O. Scherer

DESCRIPTION:

A request for a Specific Use Permit (SUP) for a Metal Building on 10.0± acres on the east side of C.R. 114 (future Independence Parkway), 1,200± feet north of C.R. 22 (future Eldorado Parkway). Zoned Agricultural and SUP #72 for a Commercial Nursery. Neighborhood #6.

APPROVED: 5-1 **DENIED:** _____ **TABLED:** _____

Commissioner Seifert voted in opposition, stating that a metal building would be inappropriate in an area intended for single family development.

RECOMMENDATION:

Recommended for approval subject to

1. At any time the property is rezoned to a district other than Agriculture, the building is to be modified to comply with the new zoning regulations or be removed from the property.
2. The Metal façade on the building will be upgraded to a masonry construction standards of the City on or before fifteen years from the approval date of this ordinance.

SN/sg

cc: Jeff Scherer 972-517-8869
Frank Jaromin
Donnie Mayfield
Mack Borchardt

Agenda No.: 7

Public Hearing: Specific Use Permit SUP2000-38

Applicant(s): Jeff and T. O. Scherer

Description:

A request for a Specific Use Permit (SUP) for a Metal Building on 10.0± acres on the east side of C.R. 114 (future Independence Parkway), 1,200± feet north of C.R. 22 (future Eldorado Parkway). Zoned Agricultural and SUP #72 for a Commercial Nursery. Neighborhood #6.

Remarks:

This is a request for a Specific Use Permit for a metal building in conjunction with the operation of a Commercial Nursery.

Direction	Land Use	Zoning	Comprehensive Plan
North	Undeveloped	Agriculture	Single-Family Residential
East	Seed Experimental Station	Agriculture	Single-Family Residential
South	Undeveloped	Agriculture	Single-Family Residential
West	Undeveloped	Agriculture	Single-Family Residential

The Zoning Ordinance lists four criteria for approval of a Specific Use Permit.

1. Is the property harmonious and compatible with its surrounding existing uses or proposed uses? Growing and propagation of trees and other plants associated with a commercial nursery is seen as an interim use on the property. The long term value of the property for low density residential as shown on the Future Land Use Plan. The request for metal building to be removed with the redevelopment or rezoning of the property.

2. Are the activities requested by the applicant normally associated with the requested use? The property is currently being used for agricultural production of row crops. A metal building would be appropriate for a temporary use like the Commercial Nursery in this location. The applicant's time limitation of fifteen (15) years will ensure the buildings is either upgraded to a masonry façade or removed from the property.
3. Is the nature of the use reasonable? A metal building associated with a commercial nursery is a reasonable use in areas of the city being used for agricultural purposes.
4. Has any impact on the surrounding area been mitigated? The Zoning Exhibit call out a solid living screen to be placed between the building and the adjacent properties to the north and south. The applicant is willing to place a time limitation of fifteen (15) years on the use of the metal building. If the Nursery is still in operation after fifteen years the applicant will provide an improved façade to the metal building that meets the current masonry standards normally associated with non-residential construction.

The request for a Specific Use Permit for a metal building in this location with a time limitation of fifteen (15) years is a reasonable request.

Recommendation:

Recommended for approval subject to

1. At any time the property is rezoned to a district other than Agriculture, the building is to be modified to comply with the new zoning regulations or be removed from the property.
2. The Metal façade on the building will be upgraded to a masonry construction standards of the City on or before fifteen years from the approval date of this ordinance.